United Nations A/C.3/64/L.54

General Assembly

Distr.: Limited
2 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 67 (b)
Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Sudan:* draft resolution

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up to and effective implementation of the World Conference, and in this regard underlining the importance of their full and effective implementation,

Welcoming the outcome of the Durban Review Conference convened in Geneva from 20 to 24 April 2009 within the framework of the General Assembly in accordance with its resolution 61/149 of 19 December 2006,

Noting the approaching commemoration of the tenth anniversary of the adoption of the Durban Declaration and Programme of Action,[1]

Noting also all of the relevant resolutions and decisions of the Commission on Human Rights and of the Human Rights Council on this subject, and calling for their implementation,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See A/CONF.189/12 and Corr.1, chap. I.

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Please recycle

Noting further Human Rights Council decision 3/103 of 8 December 2006,[2] by which, heeding the decision and instruction of the 2001 World Conference, the Council established the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels for the successful implementation of the Durban Programme of Action,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Welcoming the continued determination of the United Nations High Commissioner for Human Rights to profile and increase the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and the intention of the High Commissioner to make this a cross-cutting issue in the activities and programmes of her Office,

I

Outcomes of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the 2009 Durban Review Conference

1. *Expresses its appreciation* for the contributions of non-governmental organizations and civil society to the preparations for the Durban Review Conference that were broad-based, regionally balanced and consistent with the objectives of the Conference;

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[2] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. II, sect. B.

2. *Emphasizes* the commemoration of the tenth anniversary of the Durban Declaration and Programme of Action[1] in 2011 and its potential for mobilizing further support for the full implementation of the Declaration and Programme of Action, and invites Member States, the Human Rights Council, other relevant United Nations bodies and international organizations and civil society, including non-governmental organizations, to initiate planning for this commemoration in an appropriate way and in cooperation with the Office of the United Nations High Commissioner for Human Rights;

3. *Acknowledges* that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

4. *Also acknowledges* that the World Conference, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

5. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;

6. *Reaffirms its commitment* to eliminating all forms of racism, racial discrimination, xenophobia and other forms of related intolerance against indigenous peoples, and in this regard notes the attention paid to the objectives of combating prejudice and eliminating discrimination and promoting tolerance, understanding and good relations among indigenous peoples and all other segments of society in the United Nations Declaration on the Rights of Indigenous Peoples;[3]

7. *Emphasizes* the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

8. *Welcomes* the steps taken by numerous Governments, in particular the elaboration and implementation of national action plans to combat racism, racial discrimination, xenophobia and related intolerance, and steps taken by national human rights institutions and non-governmental organizations, towards the full implementation of the Durban Declaration and Programme of Action, and affirms this trend as a demonstration of commitment to the elimination of all scourges of racism at the national level;

9. *Calls upon* all States that have not yet elaborated their national action plans on combating racism, racial discrimination, xenophobia and related intolerance to comply with their commitments undertaken at the World Conference;

10. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat

[3] Resolution 61/295, annex.

racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

11. *Welcomes* the adoption of the laudable initiative led by the States members of the Caribbean Community and other Member States for the establishment of a permanent memorial at the United Nations to the victims of slavery and the transatlantic slave trade as a contribution towards the fulfilment of paragraph 101 of the Durban Declaration, expresses its appreciation for contributions made to the voluntary fund established in this regard, and urges other countries to contribute to the fund;

12. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies in all regions where they do not exist;

13. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

14. *Reaffirms* that the General Assembly is the highest intergovernmental mechanism for the formulation and appraisal of policy on matters relating to the economic, social and related fields, in accordance with Assembly resolution 50/227 of 24 May 1996, and that, together with the Human Rights Council, it shall constitute an intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action, and further reaffirms that the Council shall continue to have a central role in the follow-up to the implementation of the Declaration and Programme of Action within the United Nations system;

15. *Expresses its appreciation* for the continuing work of the mechanisms mandated to follow up the World Conference, bearing in mind the assessment of the effectiveness of those mechanisms undertaken at the Durban Review Conference;

16. *Acknowledges* the guidance and leadership role of the Human Rights Council and encourages it to continue overseeing the implementation of the Durban Declaration and Programme of Action;

17. *Also acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will for the successful implementation of the Declaration and Programme of Action;

18. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme

of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

19. *Expresses its concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some governing bodies of the various sporting codes to combat racism, and in this regard invites all international sporting bodies to promote, through their national, regional and international federations, a world of sport free from racism and racial discrimination;

20. *Welcomes*, in this context, the initiative of the Fédération internationale de football association to introduce a visible theme on non-racism in football, and invites the Fédération to continue with this initiative at the 2010 soccer World Cup tournament to be held in South Africa;

21. *Calls upon* those States that have not yet done so to consider signing and ratifying or acceding to the instruments enumerated in paragraph 78 of the Durban Programme of Action, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990;[4]

22. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Human Rights Council with all the necessary support and resources in order for it to achieve its objectives in this regard;

II
General principles

23. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

24. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

25. *Expresses deep concern* at the attempts to establish hierarchies among emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urges States to adopt measures to address these scourges with the same emphasis and vigour with a view to preventing this practice and protecting victims;

26. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

27. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

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[4] United Nations, *Treaty Series*, vol. 2220, No. 39481.

28. *Also recognizes* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status;

29. *Reaffirms* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law;

30. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

31. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

32. *Calls upon* all States, in accordance with the commitments undertaken in paragraph 147 of the Durban Declaration and Programme of Action,[1] to take all necessary measures to combat incitement to violence motivated by racial hatred, including through the misuse of print, audio-visual and electronic media and new communication technologies, and, in collaboration with service providers, to promote the use of such technologies, including the Internet, to contribute to the fight against racism, in conformity with international standards of freedom of expression and taking all necessary measures to guarantee that right;

33. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for all cultures, civilizations, religions, peoples and countries, as well as information on the follow-up to and implementation of the Durban Declaration and Programme of Action;

34. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

III
International Convention on the Elimination of All Forms of Racial Discrimination

35. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[5] are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, including contemporary forms of racism and racial discrimination, and for the promotion of equality and non-discrimination in the world;

[5] Ibid., vol. 660, No. 9464.

36. *Expresses grave concern* at the fact that universal ratification of the Convention was not attained by 2005 in accordance with commitments under the Durban Declaration and Programme of Action,[1] and calls upon those States that have not yet done so to accede to the Convention as a matter of urgency;

37. *Urges*, in the above context, the Office of the United Nations High Commissioner for Human Rights to maintain on its website and issue regular updates on a list of countries that have not yet ratified the Convention and to encourage such countries to ratify it at the earliest;

38. *Expresses its concern* at the serious delays in the submission of overdue reports to the Committee on the Elimination of Racial Discrimination, which impedes the effectiveness of the Committee, makes a strong appeal to all States parties to the Convention to comply with their treaty obligations, and reaffirms the importance of the provision of technical assistance to the requesting countries in the preparation of their reports to the Committee;

39. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention on the financing of the Committee, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

40. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[6] and article 5 of the Convention;

41. *Recalls* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

42. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;

IV

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

43. *Takes note* of the work done by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and welcomes Human Rights Council resolution 7/34 of 28 March 2008,[7] by which the Council decided to extend the mandate of the Special Rapporteur for a period of three years;

44. *Also takes note* of the reports of the Special Rapporteur,[8] and encourages Member States and other relevant stakeholders to consider implementing the recommendations contained in his reports;

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[6] Resolution 217 A (III).

[7] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[8] See A/64/271 and A/64/295.

45. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

46. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African descent, communities of people of Asian descent, communities of indigenous people and other communities;

47. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

48. *Urges* the High Commissioner to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

49. *Requests* the Secretary-General to provide the Special Rapporteur with all the human and financial assistance necessary to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-fifth session;

50. *Requests* the Special Rapporteur to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights by national or ethnic, religious and linguistic minorities, immigrant populations, asylum-seekers and refugees;

51. *Invites* Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations.

V
General

52. *Recommends* that the meetings of the Human Rights Council focusing on the follow-up to the World Conference and the implementation of the Durban Declaration and Programme of Action[1] be scheduled in a manner that allows broad participation and that avoids overlap with the meetings devoted to the consideration of this item in the General Assembly;

53. *Requests* the Secretary-General to submit a report with recommendations on the implementation of the present resolution to the General Assembly at its sixty-fifth session;

54. *Decides* to remain seized of this important matter at its sixty-fifth session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

United Nations A/C.3/64/L.54/Rev.1

General Assembly

Distr.: Limited
20 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 67 (b)
Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Russian Federation and Sudan*: revised draft resolution

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up to and effective implementation of the World Conference, and in this regard underlining the importance of their full and effective implementation,

Welcoming the outcome of the Durban Review Conference convened in Geneva from 20 to 24 April 2009 within the framework of the General Assembly in accordance with its resolution 61/149 of 19 December 2006,

Noting the approaching commemoration of the tenth anniversary of the adoption of the Durban Declaration and Programme of Action,[1]

Recalling all of the relevant resolutions and decisions of the Commission on Human Rights and of the Human Rights Council on this subject, and calling for their implementation to ensure the successful implementation of the Durban Declaration and Programme of Action,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See A/CONF.189/12 and Corr.1, chap. I.

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Noting Human Rights Council decision 3/103 of 8 December 2006,[2] by which, heeding the decision and instruction of the 2001 World Conference, the Council established the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards,

Bearing in mind the responsibility and obligations of the Human Rights Council emanating from the outcome of the Durban Review Conference,[3]

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Welcoming the continued commitment of the United Nations High Commissioner for Human Rights to profile and increase the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and recognizing the need for the High Commissioner to make this a cross-cutting issue in the activities and programmes of her Office,

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[2] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. II, sect. B.

[3] See A/CONF.211/8.

I

Outcomes of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the 2009 Durban Review Conference

1. *Reaffirms* that the General Assembly is the highest intergovernmental mechanism for the formulation and appraisal of policy on matters relating to the economic, social and related fields, in accordance with Assembly resolution 50/227 of 24 May 1996, and that, together with the Human Rights Council, it shall constitute an intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;

2. *Expresses its satisfaction* that the Durban Review Conference and its Preparatory Committee provided for the active participation of Member States and Observers of the United Nations, United Nations specialized agencies, United Nations funds and programmes, various intergovernmental organizations as well as the major groups representing all regions of the world, at the highest level, and notes the contributions of non-governmental organizations in the preparation of the Durban Review Conference, which were broad-based, regionally balanced and consistent with the objectives of the conference;

3. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action as well as the outcome of the Durban Review Conference and, in this regard, welcomes the steps taken by numerous Governments;

4. *Calls upon* all States that have not yet elaborated their national action plans on combating racism, racial discrimination, xenophobia and related intolerance to comply with their commitments undertaken at the World Conference;

5. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

6. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies in all regions where they do not exist;

7. *Calls upon* those States that have not yet done so to consider signing and ratifying or acceding to the instruments enumerated in paragraph 78 of the Durban Programme of Action, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990;[4]

8. *Emphasizes* the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the elimination of all forms of racism and, in particular, towards the achievement of the objectives of the Durban Declaration and Programme of Action;

[4] United Nations, *Treaty Series*, vol. 2220, No. 39481.

9. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

10. *Reaffirms its commitment* to eliminating all forms of racism, racial discrimination, xenophobia and other forms of related intolerance against indigenous peoples, and in this regard notes the attention paid to the objectives of combating prejudice and eliminating discrimination and promoting tolerance, understanding and good relations among indigenous peoples and all other segments of society in the United Nations Declaration on the Rights of Indigenous Peoples;[5]

11. *Acknowledges* that the World Conference, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

12. *Also acknowledges* that the outcomes of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Durban Review Conference are on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

13. *Recalls* that 2011 will mark the tenth anniversary of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and decides to call for a one-day plenary event to commemorate the ten-year anniversary of the World Conference during the high-level segment of the General Assembly to be devoted to the elimination of racism, racial discrimination, xenophobia and related intolerance during its sixty-sixth session, in 2011, the modalities of which will be finalized during the sixty-fifth session;

14. *Welcomes* the adoption of the laudable initiative led by the States members of the Caribbean Community and other Member States for the establishment of a permanent memorial at the United Nations to the victims of slavery and the transatlantic slave trade as a contribution towards the fulfilment of paragraph 101 of the Durban Declaration, expresses its appreciation for contributions made to the voluntary fund established in this regard, and urges other countries to contribute to the fund;

15. *Expresses its appreciation* for the continuing work of the mechanisms mandated to follow up the World Conference;

16. *Decides* that the implementation of the outcome of the Durban Review Conference shall be undertaken in the same framework and by the same mechanisms as the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

17. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of

[5] Resolution 61/295, annex.

the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will for the successful implementation of the Declaration and Programme of Action;

18. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

19. *Expresses its concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some governing bodies of the various sporting codes to combat racism, and in this regard invites all international sporting bodies to promote, through their national, regional and international federations, a world of sport free from racism and racial discrimination;

20. *Welcomes*, in this context, the initiative of the Fédération internationale de football association to introduce a visible theme on non-racism in football, and invites the Fédération to continue with this initiative at the 2010 soccer World Cup tournament to be held in South Africa;

21. *Acknowledges* the guidance and leadership role of the Human Rights Council and encourages it to continue overseeing the implementation of the Durban Declaration and Programme of Action and the outcome of the Durban Review Conference;

22. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the Human Rights Council with all the necessary support in order for it to achieve its objectives in this regard;

II
General principles

23. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

24. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

25. *Expresses deep concern* at inadequate responses to emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urges States to adopt measures to address these scourges vigorously with a view to preventing their practice and protecting victims;

26. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in

purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

27. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

28. *Also recognizes* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status;

29. *Reaffirms* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law;

30. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

31. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

32. *Calls upon* all States, in accordance with the commitments undertaken in paragraph 147 of the Durban Declaration and Programme of Action,[1] to take all necessary measures to combat incitement to violence motivated by racial hatred, including through the misuse of print, audio-visual and electronic media and new communication technologies, and, in collaboration with service providers, to promote the use of such technologies, including the Internet to contribute to the fight against racism, in conformity with international standards of freedom of expression and taking all necessary measures to guarantee that right;

33. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for all cultures, civilizations, religions, peoples and countries, as well as information on the follow-up to and implementation of the Durban Declaration and Programme of Action;

34. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

III
International Convention on the Elimination of All Forms of Racial Discrimination

35. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[6] are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, and for the promotion of equality and non-discrimination in the world;

36. *Expresses grave concern* that universal ratification of the Convention has not yet been reached, despite commitments under the Durban Declaration and Programme of Action,[1] and calls upon those States that have not yet done so to accede to the Convention as a matter of urgency;

37. *Urges*, in the above context, the Office of the United Nations High Commissioner for Human Rights to maintain on its website and issue regular updates on a list of countries that have not yet ratified the Convention and to encourage such countries to ratify it at the earliest;

38. *Expresses its concern* at the serious delays in the submission of overdue reports to the Committee on the Elimination of Racial Discrimination, which impede the effectiveness of the Committee, makes a strong appeal to all States parties to the Convention to comply with their treaty obligations, and reaffirms the importance of the provision of technical assistance to requesting countries in the preparation of their reports to the Committee;

39. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention on the financing of the Committee, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

40. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[7] and article 5 of the Convention;

41. *Recalls* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

42. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;

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[6] Ibid., vol. 660, No. 9464.

[7] Resolution 217 A (III).

IV
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and follow-up to his visits

43. *Takes note* of the work done by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and welcomes Human Rights Council resolution 7/34 of 28 March 2008,[8] by which the Council decided to extend the mandate of the Special Rapporteur for a period of three years;

44. *Also takes note* of the reports of the Special Rapporteur,[9] and encourages Member States and other relevant stakeholders to consider implementing the recommendations contained in his reports;

45. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

46. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African descent, communities of people of Asian descent, communities of indigenous people and other communities;

47. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

48. *Urges* the High Commissioner to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

49. *Requests* the Secretary-General to provide the Special Rapporteur with all the human and financial assistance necessary to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-fifth session;

50. *Requests* the Special Rapporteur to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights by national or ethnic, religious and linguistic minorities, immigrant populations, asylum-seekers and refugees;

51. *Invites* Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations;

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[8] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[9] See A/64/271 and A/64/295.

V

General

52. *Recommends* that the meetings of the Human Rights Council focusing on the follow-up to the World Conference and the implementation of the Durban Declaration and Programme of Action[1] be scheduled in a manner that allows broad participation and that avoids overlap with the meetings devoted to the consideration of this item in the General Assembly;

53. *Requests* the Secretary-General to submit a report with recommendations on the implementation of the present resolution to the General Assembly at its sixty-fifth session;

54. *Decides* to remain seized of this important matter at its sixty-fifth session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

United Nations A/C.3/64/L.55

General Assembly

Distr.: Limited
3 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 67 (b)
Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Sudan:* draft resolution

Adoption of the outcome document of the Durban Review Conference

The General Assembly:

(a) Welcomes the outcome document of the Durban Review Conference[1] convened in Geneva from 20 to 24 April 2009 within the framework of the General Assembly in accordance with its resolution 61/149 of 19 December 2006;

(b) Decides to endorse the provisions of the outcome document of the Conference;

(c) Decides also that the implementation of the outcome of the Durban Review Conference shall be undertaken in the same framework and by the same mechanisms as those in the Durban Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.[2]

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See A/CONF.211/8.

[2] See A/CONF.189/12 and Corr.1, chap. I.

09-59268 (E) 051109

Please recycle

United Nations

General Assembly

Original: English

Sixty-fourth session
Third Committee
Agenda item 68
Right of peoples to self-determination

Afghanistan, Albania, Algeria, Andorra, Angola, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Guinea, Guinea-Bissau, Greece, Guyana, India, Indonesia, Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Poland, Portugal, Qatar, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe and Palestine: draft resolution

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970 entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to

[1] Resolution 2200 A (XXI), annex.
[2] Resolution 217 A (III).

09-59312 (E) 041109

Please recycle

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Recalling also the United Nations Millennium Declaration,[6]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Expressing the urgent need for the resumption of negotiations within the Middle East peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map,[10] and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling its resolution 63/165 of 18 December 2008,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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[5] Resolution 1514 (XV).

[6] A/CONF.157/24 (Part I), chap. III.

[7] See resolution 50/6.

[8] See resolution 55/2.

[9] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[8] See A/ES-10/273 and Corr.1, advisory opinion, para. 88; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[9] See A/ES-10/273 and Corr.1, advisory opinion, para. 122; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[10] S/2003/529, annex.

United Nations A/C.3/64/L.57

General Assembly

Distr.: Limited
4 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 68
Right of peoples to self-determination

Algeria, Angola, Belarus, Bolivia (Plurinational State of), China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Ethiopia, Honduras, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Liberia, Madagascar, Malawi, Malaysia, Mali, Myanmar, Namibia, Nicaragua, Nigeria, Pakistan, Peru, Russian Federation, Sri Lanka, Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe: draft resolution

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling all of its previous resolutions on the subject, including resolution 63/164 of 18 December 2008, and Human Rights Council resolution 10/11 of 26 March 2009,[1] as well as all resolutions adopted by the Commission on Human Rights in this regard,

Recalling also all of its relevant resolutions in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the elimination of mercenarism in Africa,[2] as well as by the African Union,[3]

[1] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53), chap. II.

[2] United Nations, *Treaty Series*, vol. 1490, No. 25573.

[3] On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.

09-59339 (E) 051109

Please recycle

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[4]

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from criminal mercenary activities,

Extremely alarmed and concerned about recent mercenary activities in some developing countries in various parts of the world, including in areas of armed conflict, and the threat they pose to the integrity of and respect for the constitutional order of the affected countries,

Convinced that, notwithstanding the way in which they are used or the form that they take to acquire some semblance of legitimacy, mercenaries or mercenary-related activities are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of all human rights by peoples,

1. *Takes note with appreciation* of the report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination,[5] and expresses its appreciation for the work of the experts of the Working Group;

2. *Reaffirms* that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

4. *Urges once again* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the

[4] Resolution 2625 (XXV), annex.

[5] See A/64/311.

Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

5. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, as well as to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Encourages* States that import the military assistance, consultancy and security services provided by private companies to establish regulatory national mechanisms for the registering and licensing of those companies in order to ensure that imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

7. *Calls upon* all States that have not yet done so to consider taking the necessary action to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;[6]

8. *Welcomes* the cooperation extended by those countries that received a visit by the Working Group and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

9. *Condemns* recent mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of those countries and the exercise of the right of their peoples to self-determination, and stresses the importance for the Working Group of looking into sources and root causes, as well as the political motivations of mercenaries and for mercenary-related activities;

10. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with domestic law and applicable bilateral or international treaties;

11. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

12. *Calls upon* Member States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities in transparent, open and fair trials;

13. *Requests* the Working Group to continue the work already done by the previous Special Rapporteurs on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition

[6] United Nations, *Treaty Series*, vol. 2163, No. 37789.

of a mercenary drafted by the Special Rapporteur in his report to the Commission on Human Rights at its sixtieth session;[7]

14. *Notes with appreciation* the work of the Working Group on its elaboration of concrete principles on the regulation of private companies offering military assistance, consultancy and other military security-related services on the international market, which it carried out after country visits and through the process of regional consultations, and in consultation with academics and intergovernmental and non-governmental organizations;

15. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

16. *Expresses its appreciation* to the Office of the High Commissioner for its support for convening the regional governmental consultations in the Russian Federation for States in the Eastern European Group and Central Asia region and in Thailand for States in the Asian region on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, in particular regarding the effects of the activities of private military and security companies on the enjoyment of human rights;

17. *Requests* the Office of the High Commissioner to continue supporting the Working Group convening regional governmental consultations on this matter, with the remaining two to be held before the end of 2010, bearing in mind that this process may lead to the holding of a high-level round table of States, under the auspices of the United Nations, to discuss the fundamental question of the role of the State as holder of the monopoly of the use of force, with the objective of facilitating a critical understanding of the responsibilities of the different actors, including private military and security companies, in the current context, and their respective obligations for the promotion and protection of human rights and in reaching a common understanding as to which additional regulations and controls are needed at the international level;

18. *Urges* all States to cooperate fully with the Working Group in the fulfilment of its mandate;

19. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all the necessary assistance and support for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

20. *Requests* the Working Group to consult States and intergovernmental and non-governmental organizations in the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its sixty-fifth session its findings on the use of mercenaries to undermine the enjoyment of all

[7] See E/CN.4/2004/15, para. 47.

human rights and to impede the exercise of the right of peoples to self-determination;

21. *Decides* to consider at its sixty-fifth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

United Nations A/C.3/64/L.58

General Assembly

Distr.: Limited
3 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 41
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Bosnia and Herzegovina, Egypt and Slovenia: draft resolution

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2009/252 of 30 July 2009 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the letter dated 10 March 2009 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General,[1]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from seventy-eight to seventy-nine States;

2. *Requests* the Economic and Social Council to elect the additional member at its resumed organizational session for 2010.

[1] E/2009/47.

09-59347 (E) 041109

Please recycle

United Nations A/C.3/64/L.59

General Assembly

Distr.: Limited
4 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 41
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Zambia:* draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing the particular vulnerability of women and children among refugees and other persons of concern, including exposure to discrimination and sexual and physical abuse,

Gravely concerned by the deteriorating conditions in some of the refugee camps in Africa, and recognizing that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV/AIDS, malaria and other infectious diseases,

Welcoming the adoption by the African Union during the Special Summit of Heads of State and Government of the African Union on Refugees, Returnees and Internally Displaced Persons in Africa, held in Kampala on 22 and 23 October 2009,

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[2] Ibid., vol. 1520, No. 26363.

[3] Ibid., vol. 189, No. 2545.

[4] Ibid., vol. 606, No. 8791.

09-59527 (E) 061109

Please recycle

of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa,

Noting with appreciation the Pact on Security, Stability and Development in the Great Lakes Region[5] and its instruments, in particular two of the protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons, and the Protocol on the Property Rights of Returning Persons,

1. *Takes note* of the reports of the Secretary-General[6] and the United Nations High Commissioner for Refugees;[7]

2. *Encourages* African Member States that have not yet signed or ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa to consider doing so as early as possible in order to ensure its early entry into force and implementation;

3. *Welcomes* the fortieth anniversary on 10 September 2009 of the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa;

4. *Notes* the need for African Member States to address resolutely root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows;

5. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

6. *Welcomes* decision EX.CL/Dec.494 (XV) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Executive Council of the African Union at its fifteenth ordinary session, held in Sirte, Libyan Arab Jamahiriya, from 28 to 30 June 2009;[8]

7. *Expresses its appreciation* for the leadership shown by the Office of the United Nations High Commissioner for Refugees, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

8. *Notes with appreciation* the initiatives taken by the African Union, the Permanent Representatives Committee Subcommittee on Refugees, Returnees and Displaced Persons, and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa, to ensure protection and assistance to refugees, returnees and displaced persons in Africa;

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[5] Available from www.icglr.org.

[6] A/64/330.

[7] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 12* (A/64/12).

[8] See African Union document EX.CL/Dec.494 (XV) Rev.2.

9. *Acknowledges* the important contribution of the age, gender and diversity mainstreaming strategy in identifying, through a participatory approach, the protection risks faced by the different members of the refugee community, in particular the non-discriminatory treatment and protection of refugee women and refugee children and minority groups of refugees;

10. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration in new societies, protracted situations of displacement and statelessness can increase child-protection risks, taking into account the particular vulnerability of refugee children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

11. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

12. *Also recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

13. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee at its fifty-second session,[9] notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories, and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

14. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight and facilitating durable solutions for refugees and displaced persons;

15. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve

[9] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

16. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

17. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

18. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

19. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

20. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum-seekers and internally displaced persons;

21. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African

Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum-seekers;

22. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

23. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

24. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

25. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement,[10] where appropriate;

26. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum as well as internally displaced persons where appropriate;

27. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

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[10] Available from www.unhcr.org.

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28. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including improvement of international burden- and responsibility-sharing and realization of durable solutions, within a multilateral context;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[11] takes note of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

30. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Human Rights Council and the General Assembly;

31. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-fifth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

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[11] E/CN.4/1998/53/Add.2, annex.

United Nations A/C.3/64/L.59/Rev.1

General Assembly

Distr.: Limited
18 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 41
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Albania, Australia, Belgium, Bosnia and Herzegovina, Brazil, Canada, Cyprus, Denmark, Estonia, Finland, Germany, Greece, Ireland, Japan, Latvia, Luxembourg, Malta, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and Zambia*: revised draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing the particular vulnerability of women and children among refugees and other persons of concern, including exposure to discrimination and sexual and physical abuse,

Gravely concerned by the deteriorating conditions in some of the refugee camps in Africa,

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* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[2] Ibid., vol. 1520, No. 26363.

[3] Ibid., vol. 189, No. 2545.

[4] Ibid., vol. 606, No. 8791.

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Recognizing that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV/AIDS, malaria and other infectious diseases,

Welcoming the adoption of the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa, which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons,

Noting with appreciation the Pact on Security, Stability and Development in the Great Lakes Region[5] and its instruments, in particular two of the protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons, and the Protocol on the Property Rights of Returning Persons,

Recognizing that host States have the primary responsibility for the protection of and assistance to refugees on their territory, and the need to redouble efforts to develop and implement comprehensive durable solution strategies, in appropriate cooperation with the international community, and burden- and responsibility-sharing,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem in appropriate cooperation with the international community,

1. *Takes note* of the reports of the Secretary-General[6] and the United Nations High Commissioner for Refugees;[7]

2. *Calls upon* African Member States that have not yet signed or ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa to consider doing so as early as possible in order to ensure its early entry into force and implementation;

3. *Takes note* of the fortieth anniversary on 10 September 2009 of the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa;

4. *Notes* the need for African Member States to address resolutely root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows;

5. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

6. *Welcomes* decision EX.CL/Dec.494 (XV) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Executive Council of the

[5] Available from www.icglr.org.

[6] A/64/330.

[7] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 12* (A/64/12).

African Union at its fifteenth ordinary session, held in Sirte, Libyan Arab Jamahiriya, from 28 to 30 June 2009;[8]

7. *Expresses its appreciation* for the leadership shown by the Office of the United Nations High Commissioner for Refugees, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum, including by providing support to vulnerable local host communities, and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

8. *Notes with appreciation* the initiatives taken by the African Union, the Permanent Representatives Committee Subcommittee on Refugees, Returnees and Displaced Persons, and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa, to ensure protection and assistance to refugees, returnees and displaced persons in Africa;

9. *Acknowledges* the important contribution of the age, gender and diversity mainstreaming strategy in identifying, through a participatory approach, the protection risks faced by the different members of the refugee community, in particular the non-discriminatory treatment and protection of refugee women and refugee children and minority groups of refugees;

10. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration in new societies, protracted situations of displacement and statelessness can increase child-protection risks, taking into account the particular vulnerability of refugee children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

11. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

12. *Also recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

13. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee at its fifty-second session,[9] notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories, and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing

[8] See African Union document EX.CL/Dec.494 (XV) Rev.2.

[9] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

14. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight, facilitating durable solutions for refugees and displaced persons, and supporting vulnerable local host communities;

15. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

16. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

17. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

18. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

19. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners

and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

20. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum-seekers and internally displaced persons;

21. *Also calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum-seekers;

22. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

23. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

24. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

25. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to

refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement,[10] where appropriate;

26. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum as well as internally displaced persons where appropriate;

27. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

28. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including improvement of international burden- and responsibility-sharing and realization of durable solutions, within a multilateral context;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[11] takes note of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

30. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Human Rights Council and the General Assembly;

31. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-fifth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

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[10] Available from www.unhcr.org.

[11] E/CN.4/1998/53/Add.2, annex.

United Nations

A/C.3/64/L.60

General Assembly

Distr.: Limited
17 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (b)
Advancement of women: implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly

Draft resolution submitted by the Chairperson on the basis of informal consultations

Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its previous resolutions on the question, including resolution 63/159 of 18 December 2008,

Deeply convinced that the Beijing Declaration and Platform for Action[1] and the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"[2] are important contributions to the achievement of gender equality and the empowerment of women, and must be translated into effective action by all States, the United Nations system and other organizations concerned,

Reaffirming the commitments to gender equality and the advancement of women made at the Millennium Summit,[3] the 2005 World Summit[4] and other major United Nations summits, conferences and special sessions, and reaffirming also that their full, effective and accelerated implementation are integral to achieving the internationally agreed development goals, including the Millennium Development Goals,

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[2] Resolution S-23/2, annex, and resolution S-23/3, annex.
[3] See resolution 55/2.
[4] See resolution 60/1.

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Welcoming progress made towards achieving gender equality, but stressing that challenges and obstacles remain in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for full, effective and accelerated implementation,

Noting that the Commission on the Status of Women will undertake, at its fifty-fourth session, a review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", emphasizing the sharing of experiences and good practices, with a view to overcoming remaining obstacles and new challenges, including those related to the Millennium Development Goals,

Taking into consideration the theme of the annual ministerial review to be held by the Economic and Social Council in 2010, "Implementing the internationally agreed goals and commitments in regard to gender equality and the empowerment of women",

Welcoming the work of the Commission on the Status of Women in reviewing the implementation of the Beijing Declaration and Platform for Action, and noting with appreciation all of its agreed conclusions, including the latest agreed conclusions, on the equal sharing of responsibilities between women and men, including in the context of HIV/AIDS, adopted by the Commission at its fifty third session,[5]

Reaffirming that gender mainstreaming is a globally accepted strategy for promoting the empowerment of women and achieving gender equality by transforming structures of inequality, and reaffirming also the commitment to actively promote the mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, as well as the commitment to strengthen the capabilities of the United Nations system in the area of gender equality,

Noting with appreciation the report of the Secretary-General on mainstreaming a gender perspective into all policies and programmes of the United Nations system,[6] and stressing the importance of the continued integration of a gender perspective in the work and activities of the Human Rights Council,

Reaffirming the commitments in regard to gender equality and empowerment of women in the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,[7]

Bearing in mind the challenges and obstacles to changing discriminatory attitudes and gender stereotypes, and stressing that challenges and obstacles remain in the implementation of international standards and norms to address the inequality between men and women,

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[5] See *Official Records of the Economic and Social Council, 2009, Supplement No. 7* (E/2009/27), chap. I, sect. A.

[6] E/2009/71.

[7] Resolution 63/239, annex.

Reaffirming the Declaration of Commitment on HIV/AIDS[8] and the Political Declaration on HIV/AIDS adopted at the High-level Meeting on HIV/AIDS, held from 31 May to 2 June 2006,[9] which, inter alia, acknowledged the feminization of the pandemic,

Expressing serious concern that the urgent goal of 50/50 gender balance in the United Nations system, especially at senior and policymaking levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, remains unmet, and that the representation of women in the United Nations system has remained almost static, with negligible improvement in some parts of the system, and in some cases has even decreased, as reflected in the report of the Secretary-General on the improvement of the status of women in the United Nations system,[10]

Reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding,

Recalling Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, and welcoming the adoption of Security Council resolutions 1882 (2009) of 4 August 2009 on children and armed conflict and 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security,

Welcoming its resolution 63/311 of 14 September 2009, in particular the provisions on strengthening the institutional arrangements for support of gender equality and the empowerment of women, reaffirming its strong support expressed therein for the consolidation of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the United Nations International Research and Training Institute for the Advancement of Women into a composite entity, taking into account the existing mandates, to be led by an Under-Secretary-General, and looking forward to the full implementation of resolution 63/311,

1. *Takes note with appreciation* of the report of the Secretary-General on the measures taken and progress achieved in follow-up to the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly;[11]

2. *Reaffirms* the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women,[1] the outcome of the twenty-third special session of the General Assembly,[2] and the declaration adopted on the occasion of the ten-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action at the forty-ninth session of the Commission on the Status of Women,[12] and also reaffirms its commitment to their full, effective and accelerated implementation;

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[8] Resolution S-26/2, annex.

[9] Resolution 60/262, annex.

[10] A/63/364.

[11] A/64/218.

[12] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

3. *Also reaffirms* the primary and essential role of the General Assembly and the Economic and Social Council, as well as the catalytic role of the Commission on the Status of Women, in promoting gender equality and the empowerment of women based on the full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and in promoting and monitoring gender mainstreaming within the United Nations system;

4. *Recognizes* that the implementation of the Beijing Declaration and Platform for Action and the fulfilment of the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women[13] are mutually reinforcing in achieving gender equality and the empowerment of women, and in this regard welcomes the contributions of the Committee on the Elimination of Discrimination against Women to promoting the implementation of the Platform for Action and the outcome of the twenty-third special session, and invites States parties to the Convention to include information on measures taken to enhance implementation at the national level in their reports to the Committee under article 18 of the Convention;

5. *Calls upon* States parties to comply fully with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto[14] and to take into consideration the concluding observations as well as the general recommendations of the Committee, urges States parties to consider limiting the extent of any reservations that they lodge to the Convention, to formulate any reservations as precisely and narrowly as possible, and to regularly review such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the Convention, also urges all Member States that have not yet ratified or acceded to the Convention to consider doing so, and calls upon those Member States that have not yet done so to consider signing, ratifying or acceding to the Optional Protocol;

6. *Welcomes* the opportunities provided in intergovernmental bodies in 2010 to accelerate progress in the achievement of gender equality, the empowerment of women and gender balance, including the fifteen-year review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly at the fifty-fourth session of the Commission on the Status of Women, the annual ministerial review to be held by the Economic and Social Council on the theme "Implementing the internationally agreed goals and commitments in regard to gender equality and the empowerment of women", the high-level plenary meeting of the General Assembly on the Millennium Development Goals, and the tenth anniversary of the adoption of Security Council resolution 1325 (2000) of 31 October 2000;

7. *Encourages* Member States, United Nations entities, international and regional organizations and other relevant actors to fully utilize the opportunities provided in intergovernmental bodies in 2010, including intergovernmental consultations with a view towards prompt progress as set forth in resolution 63/311, including strengthening the institutional arrangements for the support of gender equality and empowerment of women, to accelerate progress in the achievement of

[13] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[14] Ibid., vol. 2131, No. 20378.

gender equality and empowerment of women based on the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

8. *Underlines* the significance of the fifty-fourth session of the Commission on the Status of Women, at which the Commission will undertake the fifteen-year review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, emphasizing the sharing of experiences and good practices, with a view to overcoming remaining obstacles and new challenges, including those related to the full realization of all Millennium Development Goals, including Goal 3;

9. *Encourages* all actors, inter alia, Governments, the United Nations system, other international organizations and civil society, to continue to support the work of the Commission on the Status of Women in fulfilling its central role in the follow-up to and review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and, as applicable, to carry out its recommendations, and welcomes in this regard the revised programme and methods of work of the Commission adopted at its fifty-third session, which continue to focus attention on the sharing of experiences, lessons learned and good practices in overcoming challenges to full implementation at the national and international levels as well as to the evaluation of progress in the implementation of priority themes;

10. *Encourages* participation at a high political level in the fifty-fourth session of the Commission on the Status of Women and the 2010 annual ministerial review of the Economic and Social Council;

11. *Invites* States and requests relevant bodies of the United Nations system to publicize the forthcoming sessions of the Commission on the Status of Women and the Economic and Social Council including through consultation with civil society;

12. *Calls upon* Governments and the organs and relevant funds, programmes and specialized agencies of the United Nations system, within their respective mandates, and other international and regional organizations, including financial institutions, and all relevant actors of civil society, including non-governmental organizations, to intensify action to achieve the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

13. *Reaffirms* that States have an obligation to exercise due diligence to prevent violence against women and girls, provide protection to the victims and investigate, prosecute and punish the perpetrators of violence against women and girls, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms, calls upon Governments to elaborate and implement laws and strategies to eliminate violence against women and girls, encourages and supports men and boys in taking an active part in the prevention and elimination of all forms of violence, encourages increased understanding among men and boys of how violence harms girls, boys, women and men and undermines gender equality, encourages all actors to speak out against any violence against women, and, in this regard, welcomes the Secretary-General's campaign "UNiTE to End Violence against Women" and the United Nations Development Fund for

Women social mobilization and advocacy platform "Say NO to violence against women";

14. *Reiterates* its call to the United Nations system, including the main organs, their main committees and subsidiary bodies, new functions such as the annual ministerial review of the Economic and Social Council and the Development Cooperation Forum, and the funds, programmes and specialized agencies, to increase efforts to fully mainstream a gender perspective into all issues under their consideration and within their mandates, as well as in all United Nations summits, conferences and special sessions and in their follow-up processes, including the fifteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Copenhagen from 7 to 18 December 2009, and to give attention to gender equality and the empowerment of women in preparations for such events, and in this regard, looks forward to efficient and effective support for these efforts by the consolidated gender entity, upon its establishment;

15. *Requests* that the entities of the United Nations system systematically incorporate the outcomes of the Commission on the Status of Women into their work within their mandates, inter alia, to ensure effective support for the efforts of Member States towards the achievement of gender equality and the empowerment of women;

16. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

17. *Requests* that reports of the Secretary-General submitted to the General Assembly and the Economic and Social Council and their subsidiary bodies systematically address gender perspectives through qualitative gender analysis, sex- and age-disaggregated data and, where available, quantitative data, in particular through concrete conclusions and recommendations for further action on gender equality and the empowerment of women, in order to facilitate gender-sensitive policy development;

18. *Calls upon* all parts of the United Nations system to continue to play an active role in ensuring the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, through, inter alia, the maintenance of gender specialists in all entities of the United Nations system, as well as by ensuring that all personnel, especially in the field, receive training and appropriate follow-up, including tools, guidance and support, for accelerated gender mainstreaming, and reaffirms the need to strengthen the capabilities of the United Nations system in the area of gender;

19. *Requests* the Secretary-General to review and redouble his efforts to make progress towards achieving the goal of 50/50 gender balance at all levels in the Secretariat and throughout the United Nations system, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, considering, in particular, women from developing and least developed countries, from countries with economies in transition and from unrepresented or largely underrepresented Member States, and to ensure managerial and departmental accountability with respect to gender balance

targets, and strongly encourages Member States to identify and regularly submit more women candidates for appointment to positions in the United Nations system, especially at more senior and policymaking levels, including in peacekeeping operations;

20. *Calls upon* the United Nations system to continue its efforts towards achieving the goal of gender balance, including with the active support of gender focal points, and requests the Secretary-General to provide an oral report to the Commission on the Status of Women at its fifty-fourth session, to report to the General Assembly on a biennial basis, beginning at its sixty-fifth session, under the item entitled "Advancement of women", and to include in his report on human resources management information on the status of women in the United Nations system, including on progress made and obstacles encountered in achieving gender balance, recommendations for accelerating progress, and up-to-date statistics, including the number and percentage of women and their functions and nationalities throughout the United Nations system, and information on the responsibility and accountability of the Office of Human Resources Management of the Secretariat and the secretariat of the United Nations System Chief Executives Board for Coordination for promoting gender balance;

21. *Encourages* increased efforts by Governments and the United Nations system to enhance accountability for implementation of commitments to gender equality and empowerment of women at the international, regional and national levels, including by improved monitoring and reporting on progress in relation to policies, strategies, resource allocations and programmes, and by achieving gender balance;

22. *Reaffirms* that Governments bear the primary responsibility for the achievement of gender equality and the empowerment of women and that international cooperation has an essential role in assisting developing countries to progress towards the full implementation of the Beijing Declaration and Platform for Action;

23. *Requests* the Secretary-General to continue to report annually to the General Assembly under the item entitled "Advancement of women", as well as to the Commission on the Status of Women and the Economic and Social Council, on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress in gender mainstreaming, including information on key achievements, lessons learned and good practices, and recommendations on further measures to enhance implementation, taking into account the discussions and outcome of the fifty-fourth session of the Commission on the Status of Women on the fifteen-year review of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session.

United Nations A/C.3/64/L.61

General Assembly

Distr.: Limited
17 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 64
Report of the Human Rights Council

Zambia:* draft decision

Report of the Human Rights Council

The General Assembly, having considered the recommendations contained in the report of the Human Rights Council,[1] takes note of the report of the Human Rights Council and acknowledges the recommendations contained therein.

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53).

09-61130 (E) 181109

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United Nations A/C.3/64/L.61*

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* Reissued for technical reasons.

** On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53).

09-61130* (E) 201109

Please recycle

United Nations A/C.3/64/L.62

General Assembly

Distr.: Limited
17 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda items 69 (c) and 132

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Proposed programme budget for the biennium 2010-2011

Situation of human rights in Myanmar

Programme budget implications of draft resolution A/C.3/64/L.36

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraph 30 of draft resolution A/C.3/64/L.36, the General Assembly would request the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, including democracy and human rights groups and all relevant parties, and to offer technical assistance to the Government in that regard;

(b) To give all necessary assistance to enable the Special Adviser and the Special Rapporteur to discharge their mandates fully and effectively and in a coordinated manner;

(c) To report to the General Assembly at its sixty-fifth session as well as to the Human Rights Council on the progress made in the implementation of that resolution.

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II. Relationship of the proposed requests to the biennial programme plan and priorities for the period 2010-2011

2. The foregoing requests relate to subprogramme 1, Prevention, control and resolution of conflicts, of programme 2, Political affairs, and subprogramme 3, Advisory services, technical cooperation and field activities, and subprogramme 4, Supporting the Human Rights Council, its subsidiary bodies and mechanisms, of programme 19, Human rights, of the strategic framework for the period 2010-2011 (A/63/6/Rev.1).

III. Activities by which the requests would be implemented

3. In his report to the General Assembly (A/64/334), the Secretary-General indicated that further efforts had been made to engage the Myanmar authorities, opposition groups and domestic stakeholders, as well as key interested Member States, in support of his good offices mission. This included a second visit by the Secretary-General to Myanmar on 3 and 4 July 2009. In this engagement, the role of the United Nations is to ascertain the positions of all parties and facilitate their efforts to work together through dialogue towards a mutually acceptable process of national reconciliation and democratization. Following the official announcement of the adoption of a new Constitution, the Government of Myanmar has reiterated its commitment to hold multiparty elections in 2010, the fifth step in its seven-step road map. The Secretary-General and his Special Adviser have consistently emphasized that only a credible and inclusive political process based on mutual understanding and compromise by all stakeholders can help to advance the prospects of durable peace, national reconciliation, democracy and respect for human rights in Myanmar.

4. The Secretary-General welcomes the stated commitment of the Government of Myanmar to cooperate with his good offices in the implementation of relevant General Assembly resolutions. In that context, he urges the Government of Myanmar to build on the steps it has taken so far to take meaningful measures with tangible results in response to the concerns, expectations and encouragements of the United Nations and the international community and the specific proposals made by the Secretary-General to the Myanmar leadership as part of the five-point agenda of his good offices, including the release of political prisoners and meaningful dialogue with all relevant stakeholders.

5. The Secretary-General is thus committed to making every effort to support the efforts of the Government and the people of Myanmar towards national reconciliation, the transition to democracy and full respect for human rights as the necessary foundations for long-term stability and prosperity. He welcomes the constructive role played by the neighbours of Myanmar, by the members of the Association of Southeast Asian Nations and by other key interested Member States, including in the context of the Group of Friends of the Secretary-General on Myanmar, and encourages the continuation of such efforts.

6. Consistent with the requests contained in operative paragraph 30 of draft resolution A/C.3/64/L.36, the efforts of the Secretary-General would continue in 2010 to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process.

with the Government and the people of Myanmar, including democracy and human rights groups and all relevant parties, and to offer technical assistance to the Government in that regard. The efforts of his good offices would be carried out through his Special Adviser and his team. The progress made in the implementation of the resolution would be reported to the General Assembly at its sixty-fifth session.

IV. Estimated resource requirements

7. The estimated costs of continuing the efforts of the good offices of the Secretary-General to facilitate the process of national reconciliation and democratization through his Special Adviser for Myanmar, as requested in operative paragraph 30 (a), (b) and (c) of draft resolution A/C.3/64/L.36, for a one-year period, from 1 January to 31 December 2010, amount to $1,159,100 net ($1,281,600 gross).

8. These resources would cover the salaries for the Special Adviser and four support staff (2 P-4, 1 P-3 and 1 General Service (Other level)); the official travel of the Special Adviser to Myanmar, neighbouring countries in the region, Europe and North America, including United Nations Headquarters; the services of consultants; and miscellaneous services in support of his mission. Other substantive and administrative support to the Special Adviser would be provided by the Department of Political Affairs of the United Nations Secretariat.

9. The above requirements have been included in the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and of the Security Council (A/64/349/Add.1), and would be charged against the provision for special political missions included under section 3, Political affairs, of the proposed programme budget for the biennium 2010-2011.

10. With regard to the request contained in the last part of operative paragraph 30 (a), concerning technical assistance, such assistance, if requested, would be accommodated within the technical cooperation activities of the Office of the United Nations High Commissioner for Human Rights. As to the request contained in operative paragraph 30 (b), pertaining to the Special Rapporteur, the Secretary-General, in his report on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its tenth and eleventh sessions (A/64/353), informed the General Assembly that implementation of the activities called for in Council resolution 10/27 (A/64/53, chap. II, sect. A) are considered of a "perennial nature" and as such, provision of an estimated $145,000 to implement the activities of the Special Rapporteur has been made, under section 23, Human rights, of the proposed programme budget for the biennium 2010-2011.

11. No additional resources are requested under section 23, Human rights, at this juncture, beyond those reflected above.

V. Summary

12. **Should the General Assembly adopt draft resolution A/C.3/64/L.36, additional requirements amounting to $1,159,100 net ($1,281,600 gross) would be required for the period from 1 January to 31 December 2010 for the**

continuation of the efforts of the good offices of the Secretary-General relating to the situation in Myanmar.

13. These requirements would be charged against the provision of $828,928,400 for special political missions under section 3, Political affairs, of the proposed programme budget for the biennium 2010-2011. Approval for these requirements will be sought in the context of the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (A/64/349/Add.1), currently before the Assembly for consideration at the main part of its sixty-fourth session.